

USAWC STRATEGY RESEARCH PROJECT

DEPARTMENT OF THE ARMY (DA) CIVILIANS
IN SUPPORT OF MILITARY OPERATIONS: HOW
SHOULD CURRENT POLICIES CHANGE TO BETTER
SUPPORT THEM ON TODAY'S BATTLEFIELD?

by

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This SRP is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

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U.S. Army War College
CARLISLE BARRACKS, PENNSYLVANIA 17013

Report Documentation Page			Form Approved OMB No. 0704-0188		
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 18 MAR 2005		2. REPORT TYPE		3. DATES COVERED -	
4. TITLE AND SUBTITLE Department of the Army (DA) Civilians in Support of Military Operations How Should Current Policies Change to Better Support Them on Today's Battlefield?				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S) Thea Harvell, III				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) U.S. Army War College, Carlisle Barracks, Carlisle, PA, 17013-5050				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT See attached.					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES 26	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			

ABSTRACT

AUTHOR: Lieutenant Colonel Thea Harvell III

TITLE: Department Of The Army (DA) Civilians In Support of Military Operations: How Should Current Policies Change To Better Support Them on Today's Battlefield?

FORMAT: Strategy Research Project

DATE: 18 March 2005 PAGES: 26 CLASSIFICATION: Unclassified

Civilians have participated in military operations since the Revolutionary War. They will continue to serve in essential noncombatant positions that are critical to success on the battlefield. Prior to Operation Desert Shield/Storm policies and procedures that governed civilian personnel during combat operations were ambivalent or nonexistent. Policies and procedures codified in directives and regulations following Desert Shield/Storm were a vast improvement over previous documents. Although current policies and procedures provide clarity and direction, issues exist with compensation, Emergency-Essential (E-E) position designation, and accountability. Given that the Army is operating in an asymmetric environment, policies and procedures that govern E-E civilians must change to meet the new environment. This changed environment also brings about a new manner in which we select and retain government civilians serving in E-E positions. This research paper will assess the documents that govern E-E civilians serving on today's battlefield and make recommendations for changes in the areas of compensation, Emergency-Essential (E-E) position designation, and accountability.

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DEPARTMENT OF THE ARMY (DA) CIVILIANS IN SUPPORT OF MILITARY OPERATIONS: HOW SHOULD CURRENT POLICIES CHANGE TO BETTER SUPPORT THEM ON TODAY'S BATTLEFIELD?

Civilians are and have been a vital part of every military combat operation undertaken by the United States (U.S.) military. In light of the ongoing efforts to combat the Global War on Terrorism (GWOT), civilians will continue to comprise a major component of the resources necessary to defend and safeguard U.S. interests. Unfortunately, the policies and procedures that govern civilian personnel in combat zones, have been at best, ambivalent, and at worst, nonexistent or unenforceable.

If this civilian support of the military is to continue in the future—and all indications suggest that it will—then, it is imperative that policies, procedures and guidelines that govern civilians supporting military operations be clearly outlined. Since Operation Desert Shield/Storm, the Department of the Army (DA) has made tremendous strides in drafting directives and regulations governing civilians used to support military operations. Numerous issues however have failed to be adequately addressed and could potentially undermine the government's ongoing efforts to recruit civilians to participate in military operations.

This research paper is an overview of civilians serving in military operations with a particular focus on the policies, procedures and problems related to their deployment in military operations. It is divided into four main sections. *Section I* is a brief historical review that highlights how civilians have been used in various military operations. *Section II* summarizes six major policies and procedures that pertain to the use of civilians in military operations. *Section III* outlines current issues and problems that warrant additional attention with respect to the use of civilians in military operations, namely in the areas of compensation, Emergency-Essential [E-E] position assignment and accountability. *Section IV* provides recommendations for improving the existing policies and procedures.

SECTION I - HISTORICAL OVERVIEW

Civilians have supported the military in every major war or conflict since the Revolutionary War. During the Revolutionary War, civilians were used extensively in the engineering and logistical support and service functions. They served as drivers for the supply and artillery wagons, performed procurement functions, and even occupied certain staff positions. One of the greatest challenges facing the military during this period was the lack of control and discipline that could be exerted upon them. This occurred because the terms of service for civilians ranged from one year to daily, which were not enforceable by military law.¹ During the War of 1812, the tasks that civilians performed were basically the same as the Revolutionary

War, with one exception: military soldiers becoming the primary drivers for the artillery wagons. Much of the labor in the field was still performed by civilians, but under the complete command and control of the military.² In the Mexican/American War, civilians were hired to provide support functions. In fact, there were over 5,000 with General Winfield Scott's Army of 27,000 at the time in which Mexico City fell.³

By 1908, "contract civilian surgeons were replaced almost entirely by military doctors; and by 1913, virtually all of the Army's civilian labor force had been replaced by military personnel."⁴ The Army, however, misjudged the amount of support needed to sustain the combat forces during World War I. Thus the military vigorously began to recruit civilians to perform behind-the-line duties so that more soldiers could be released to perform front-line duty where they were most needed. These same critical front-line and other labor shortages surfaced again during World War II which resulted in a major change, in that women were recruited to serve in both military operations and civilian industry in order to support the war efforts at home and abroad. They subsequently comprised "one-third of all defense workers during this war."⁵

During the Korean War and Vietnam Conflict, the Army made extensive use of indigenous civilians to support military operations. One report surmised that more "direct-hire indigenous labor was used by the Army in Korea to a greater extent than any other US combat operation."⁶ Similarly, the US involvement in the Vietnam Conflict brought about a great demand for civilians in the logistics infrastructure, particularly in construction and skilled labor fields. The need arose because the majority of the support units were located in the U.S. reserve forces, which did not mobilize. Currently, there are approximately 2000 DA civilians serving in Iraq and Afghanistan which is approximately the number of civilians who served in Operation Desert Shield/Storm. As in the previous conflicts, they perform a wide variety of tasks ranging from logistical support to repair of weapons systems.

It was, however, during Desert Shield/Storm that numerous problems surfaced regarding the deployment of civilians in military operations. According to a study conducted by Jo Ellaresa Condrill, there was "a lack of doctrine and policy governing the civilian work force deployed during Operation Desert Shield/Storm" which in turn "caused a host of problems that adversely affected both the civilians and military they supported."⁷ Some of the problems identified in that study were as minor as the designation of mail boxes for civilians and as significant as compensation, command and control, and mandatory assignment into Emergency-Essential positions. Many of these issues have been addressed and clarified in current directives and guidelines published by DoD and Department of the Army and will be discussed in the following section.

SECTION II – CURRENT DOCUMENTS THAT GOVERN CIVILIAN PERSONNEL ON THE BATTLEFIELD

Since the mid-1990s, the DoD agencies and the Army have drafted six major policies and/or directives governing the use of civilians in military operations: 1) a Civilian Personnel Management Guide for Management Officials During Contingencies and Emergencies; 2) Department of Defense Directive (DODD) 1404.10, Emergency-Essential (E-E) DOD U.S. Citizen Civilian Employees; 3) Department of Defense Directive 1400.31, DOD Civilian Work Force Contingency and Emergency Planning and Execution; 4) Department of Defense Instruction 1400.32, DOD Civilian Work Force Contingency and Emergency Planning Guidelines and Procedures; 5) Army Regulation 690-11, Use and Management of Civilian Personnel in Support of Military Contingency Operations; and 6) Department of the Army Pamphlet 690-47, DA Civilian Employee Deployment Guide.

Before summarizing each of the directives cited above, a synopsis of some of the problems involving the use of civilians in military operations, especially during the Desert Storm conflict will be discussed. This background information will aid in explaining why considerable attention has been devoted to demarcating the roles and responsibilities of those civilians involved in military operations, as well as the military personnel who have oversight over them. As previously noted, numerous issues and problem emerged when large numbers of civilians were deployed to support military operations during Desert Shield/Storm. From the military perspective, one of the more serious problems involved at least 13 cases whereby civilians either abandoned their assigned duties without permission or, refused to go to a designated area because they viewed it as potentially hostile or life threatening.⁸

Historically, "the civilian workforce had been prohibited from being "ordered into battle," by a myriad of regulations which were based on legislation and legal precedent."⁹ It was usually not necessary to consider challenging these regulations because civilians' services were not vital to frontline operations. Operation Desert Shield/Storm proved that past practices could no longer prevail without seriously hampering the effectiveness of military operations.

Another problem area emerged during the Desert Shield/Storm conflict which involved the proper processing of civilians by the deploying organizations. The lack of adequate policies and procedures caused various administrative problems to follow civilians right onto the battlefield. For example, no arrangement had been made for the notification of the next of kin in the event of death, necessary ID cards had not been issued, and there was no life insurance validation.¹⁰ When these individuals arrived at their military deployment site improperly processed, the onus then fell on the military staff to correct. One report noted that "endless

hours were wasted having to educate" the appropriate deploying units about "deployment requirements."¹¹ In addition, because civilians had not been properly processed and informed by their local civilian personnel office, military units were bombarded with "inquiries about pay and other entitlements."¹² Other thorny problems also emerged encompassing such areas as training, medical, and logistical support.

The following summary of the directives and regulations instituted by DoD and the Army will show the progress that has been made in addressing many of the problems cited above. As will be shown, DoD not only drafted policies and regulations, but they also developed guidelines to assist the civilian that would deploy in support of military operations. By way of clarification, the order in which the specific policies are presented and discussed are not intended to imply any level of importance which this author as ascribed to one policy over the another.

CIVILIAN PERSONNEL MANAGEMENT GUIDE FOR MANAGEMENT OFFICIALS DURING CONTINGENCIES AND EMERGENCIES

This guide was published by the Department of Defense (DoD) in March 2003, to assist managers of DA civilians from the first line supervisory chain up to the installation commander level. The guide is divided into two parts: Homeland Defense and General Application, and Special Provisions for Foreign Areas. Part one, Homeland Defense and General Application, applies to crisis situations associated with homeland defense and overseas areas. It is applicable to appropriated and nonappropriated fund employees, but not contract employees or foreign nationals.¹³ Key areas under part one include: Planning and Preparedness; Work Assignments; Work Schedules; Documenting Civilian Personnel Actions; Hiring Flexibilities; Administrative Dismissal of Employees; Excused Absence; Premium Pay Limitations; Hostile Fire Pay; Restoration of Annual Leave; Death and Injury Benefits; Performance Appraisals; Collective Bargaining; and Gate Inspections. The guide provides a list of references (e.g., Title 5 of the United States Code, Public Law, DoD Directives and Instructions) that govern each particular area. A brief description of how each reference applies is also explained in the key area description. This allows the supervisor to become knowledgeable in a particular area and reduces misinterpretation of the stated instructions.

Part two, entitled "Special Provisions for Foreign Areas," provides special guidance for circumstances associated with contingencies and emergencies overseas. Like part one it applies to both appropriated and nonappropriated employees, but it also contains special instructions on contractor and foreign national employees.¹⁴ The key areas discussed in part two include: Planning and Preparedness; Emergency-Essential Employees; Noncombatant and

Repatriation Operations; Travel and Transportation; Staffing Options; Allowances and Differentials; Foreign National Employees; and Contractor Employees. Part two also provide references and explains how those references are to be applied. It is important to note, however, “the information in this guide does not address special provisions found in Title 32” which pertain to “the employment of National Guard military technicians.”¹⁵

DEPARTMENT OF DEFENSE DIRECTIVE (DODD) 1404.10, EMERGENCY-ESSENTIAL (E-E) DOD U.S. CITIZEN CIVILIAN EMPLOYEES

DODD 1404.10 is dated April 10, 1992, and certified current as of December 1, 2003. Its purpose is to prescribe policies, procedures, and assign responsibilities at the DoD Component level for Emergency-Essential (E-E) employee position identification and management. This policy gives management officials the authority to designate positions not previously identified as “E-E” after a crisis has erupted. It is imperative that both E-E and non E-E positions are carefully reviewed on a regular basis in order to keep their position list current with the organization’s critical missions and functions during crisis operations.¹⁶

DEPARTMENT OF DEFENSE DIRECTIVE 1400.31, DOD CIVILIAN WORK FORCE CONTINGENCY AND EMERGENCY PLANNING AND EXECUTION

DODD 1400.31 is dated April 28, 1995 and certified current as of December 1, 2003. It establishes DoD policies and assigns responsibilities at the DoD Component level for the DoD Civilian Work Force Contingency and Emergency Planning and Execution. The DoD Civilian Work Force refers to “U.S. citizens or foreign nationals hired directly or indirectly to work for the Department of Defense, paid from appropriated or nonappropriated funds under permanent or temporary appointment. This includes employees filling full-time, part-time, intermittent, or on-call positions. Specifically excluded are government contractor employees.”¹⁷

Policy within this directive indicates that during emergency and contingency operations, DoD Civilians shall be prepared to meet mission requirements in a rapid and efficient manner, and, those civilians deployed in a theater of operations shall fall under the operational control of the Unified Combatant Commander. With respect to the commander, the directive states that they “shall support the civilians in the same manner as military personnel of their employing Component, as permissible by law and/or existing status of forces agreements with foreign nations.”¹⁸ The Unified Combatant Commander shall also establish theater admission requirements for the civilian workforce during the deliberation and execution planning processes. The Components to which civilians are assigned are responsible for complying with the requirements set forth by the Unified Combatant Commander.¹⁹

The directive also gives considerable attention to outlining the authority of the Under Secretary of Defense for Personnel and Readiness, who is principally responsible for establishing the necessary policies and procedures that would enable the DoD civilian work force to respond to contingency and emergency operations in a rapid, efficient, and effective manner.²⁰ The Heads of the DoD Components are responsible for developing, maintaining, and exercising plans and procedures that support guidance and policies set forth by the above mentioned DoD agencies. The plans and procedures established by the DoD Components shall prepare the DoD civilian workforce for both employment and deployment to contingency/emergency operations.²¹

DEPARTMENT OF DEFENSE INSTRUCTION 1400.32, DOD CIVILIAN WORK FORCE CONTINGENCY AND EMERGENCY PLANNING GUIDELINES AND PROCEDURES

This instruction, dated April 24, 1995, implements policy, assigns responsibilities and prescribes procedures under DoD Directive (DODD) 1400.31, DoD Civilian Workforce Contingency and Emergency Planning and Execution. It provides detailed instructions to the Heads of DoD Components, Chairman of the Joint Chiefs of Staff, and Commanders of the Unified Combatant Commands on what should be incorporated in civilian workforce plans and procedures during contingencies or emergencies.²² Procedures for implementing theater admission requirements are also outlined in this document. Lastly, this document provides a broad overview of the major planning considerations that go into establishing plans and procedures for the civilian workforce.²³

ARMY REGULATION 690-11, USE AND MANAGEMENT OF CIVILIAN PERSONNEL IN SUPPORT OF MILITARY CONTINGENCY OPERATIONS

This regulation dated 26 May 2004 represents a revised version of a directive previous drafted in 1990, and thus it is the most current of the policies reviewed. In brief, this regulation covers mobilization, deployment planning, and management of DA civilians in support of all crisis situations and implements DODDs 1404.10, 1400.31 and DODI 1400.32.²⁴ The regulation also delineates the responsibilities of the Army G-1; Army G-3; Commanding General, U.S. Army Human Resources Command; Combatant Commander; Commanders of major commands and heads of independent reporting activities; and all commanders with mobilization missions. A few of the major responsibilities of each of these components are summarized below.

The Army G-1 is responsible for establishing policy, procedures, and guidance in areas that impact DA civilians serving in E-E, key, and cadre positions. It also has the authority to

approve exceptions or waivers provided these exemptions are within the bounds of other controlling laws and regulations.²⁵ Furthermore, the G-1 must also monitor exercises that “test and validate the established plans, policies, and procedures.”²⁶ The Army G-3 is responsible for: “integrating E-E, key, and cadre considerations into the total force; ensuring E-E and other significant positions are documented in manning documents such as the Table of Distribution and Allowances and Mobilization Table of Distribution and allowance; requiring Situation Reports on deployed DA civilians; and serving as the sole tasking agent for DA civilian requirements in support of contingency operations.”²⁷

Commanders at all levels are responsible for ensuring that procedures are in place to track and report the status of deployed civilians. As commanders test and validate the plans of their military force, and adjust accordingly, the same must be done for the deploying civilian force.²⁸ The policy emphasizes the importance of synchronizing and seamlessly integrating the mobilization and deployment of civilians with the mobilization and deployment of military forces. In order to accomplish this objective, commanders are responsible for establishing and implementing plans and procedures that address civilian mobilization and deployment; assignment of E-E personnel, key, cadre, and alternate employee positions; and identification of positions that will be needed to support contingency operations.

In order for commanders to properly assign critical positions, they must understand the distinction between these positions. The regulation explains the differences between E-E positions that have been pre-identified and those that have not, as does the DODD 1404.10, Emergency-Essential (E-E) DoD U.S. Citizen Civilian Employee (see sections above). It defines key positions as those “that DA Civilians occupy that cannot be vacated during national emergency or mobilization without seriously impairing the capability of the organization.”²⁹ Cadre positions “form the nucleus of emergency or expanded functions at an existing installation or an installation to be activated upon mobilization.”³⁰ Alternate employees perform the duties of an E-E position in the absence of an E-E employee.³¹ Finally, in order to serve in any of the above mentioned positions the employee must be exempted from reserve military recall to active duty.

Chapter two of this directive, entitled “Civilian Contingency and Emergency Planning,” provides guidance for “developing plans for identifying, training, deploying, and sustaining DA civilians serving in E-E positions in support of contingency operations.”³² The preparedness planning section provides information on DA civilian entitlements; medical fitness; overseas replacement; training, clothing, and equipment during a declared emergency or outbreak of war.³³

DEPARTMENT OF THE ARMY PAMPHLET 690-47, DA CIVILIAN EMPLOYEE DEPLOYMENT GUIDE

This pamphlet, dated November 1, 1995, provides information on civilian deployment procedures. It is directed towards the civilian employee, management officials, and field commanders where civilian deployment is most affected. The bases of this pamphlet are DODD 1404.10 and AR 690-11.³⁴

The pamphlet is a particularly useful source for the deploying civilian and managers who are responsible for preparing an employee for deployment or managing an E-E employee. It provides a detailed explanation of key deployment areas such as Command and Control; Family Assistance; Individual Readiness Processing (IPR); Civilian Identification Cards, Medical Screening/Processing; Weapons and Training; Clothing and Equipment; Uniform Code of Military Justice; Pay, etc. Each area provides a list of references for further clarification. The four appendices (IPR Qualification Deployment Criteria; Deployment Criteria; Civilian Organizational Clothing and Individual Equipment (OCIE) and Chemical Defense Equipment (CDE); and Family Deployment Criteria) contain a series of checklists that are pertinent to each subject area.³⁵

SECTION III - CURRENT ISSUES WITH CIVILIANS ON THE BATTLEFIELD

While the efforts DoD has made to address longstanding problems involving the use of civilians in military operations is commendable, several challenging issues still remain unresolved, namely those policies and procedures pertaining to compensation, Emergency-Essential (E-E) position designation, and accountability. It is important to note that none of these issues has yet erupted to a level where the execution of a particular mission has been jeopardized. Also, civilian personnel managers at the Army staff level are aware of these issues and are actively seeking to correct them. Nonetheless, if these issues persist, they could potentially undermine civilian morale as well as threaten future military operations. The specific issues associated with compensation, Emergency-Essential (E-E) position designation, and accountability are described below under the three designated problem areas.

COMPENSATION

Compensation is the most sensitive issue for DA civilians who deploy to support military operations. "Pay Caps" and "income taxation" are perhaps two of the most serious compensation issues. Currently, government employees have maximum salary limitations imposed on them, and thus cannot exceed the allotted pay cap.

Title 5, United States Code limits an employee's aggregate rate of pay for any pay period to the greater of the bi-weekly rate for General Schedule (GS) 15, step 10, or Level V of the Executive Schedule. This limitation requires that an employee's basic pay plus premium pay for overtime work (including Compensatory time off), night work, standby duty, and work on Sundays or holidays be calculated each pay period. No premium payments may be made when an employee's pay exceeds the biweekly pay limitation.³⁶

On 11 September 2001, "the biweekly maximum earnings limitation was waived for GS employees who perform emergency work in support of the national emergency declared by presidential proclamation."³⁷ Department of the Army Pamphlet 690-47, DA Civilian Employee Deployment Guide still identifies an annual limit which cannot exceed the greater of the annual rate for GS-15, step 10, or Level V of the Executive Schedule.³⁸ This pay cap can pose a problem for GS-12 and 13 employees who are deployed for an extended period of time. General Schedule employees in the grade of GS-14 or 15s do not have to be deployed as long to reach a pay cap. Once a deployed employee reaches the pay cap they are no longer paid for the duties they perform. That civilian must then be replaced.

Finding a replacement should not be viewed as a simple administrative action that can be accomplished with minimum effort. It can be a very long and arduous process. For example, General Schedule employees in grades GS-12 through GS-15 possess a wealth of experience and expertise. In many cases, the government employees at these levels represent a very small pool of individuals who have the necessary skills to perform specified military duties.

Even after a prospective candidate has been identified, he or she must consider numerous critical issues before accepting the E-E position such as agreeing to: (1) being deployed with military forces during contingency operations and war; (2) participating in military training exercises and other special training required for deployment and survival on the battlefield and, (4) living in the same field conditions as the military forces. In addition to accepting these onerous conditions, the civilian employee must also contend with the fact that under the existing policies, his/her annual pay will be limited. Moreover, his/her pay will not be entitled to the same tax exemptions granted to other military personnel serving in the same theater of operation. Job assignment, work hours, training, living conditions, and, most importantly, pay incentives may deter the average civilian from accepting an E-E position.

Even after a replacement has been found, one with the proper skills and qualifications and who agrees to the above conditions, it could take months before the new employee and the organization are operating at the level of proficiency of the previous employee. The reasons for this are simple. First, not all civilians are hired from within the government. Some are hired

from private industry with no prior experience in working with the government or military. It takes much longer for civilians in this category to transition for the simple fact that they have to gain a basic understanding of how the government and the military functions, and apply that to the duties they perform. Not only must they understand the functions of the government and military but the “culture” as well. Second, a civilian hired with government and/or military experience may have little or no knowledge of the internal workings of the organization to which they have been assigned. In sum, time must be allotted for what may best be characterized as a “transition period” for both the employee and hiring organization or unit.

It has been previously noted that “the current pay and benefits plan provides very little incentive for civilians to volunteer for contingency operations.”³⁹ Moreover, there is certainly no incentive for the employee to provide services which exceed what is minimally required. A Logistics Assistance Representative (LAR) was quoted as saying:

the tax exclusion is the biggest issue of concern for the LAR community....he earned more than \$10,000 in additional income due to overtime, danger, and foreign differential pay while he was deployed to Bosnia during 1997. This additional income placed him in a higher tax bracket for that year. The payment of additional taxes made him consider the overall worth of working 7 days a week and 12 hours a day to earn extra income.⁴⁰

Offering adequate and fair monetary compensation is but one way of securing and retaining critical civilian support for military operations. It will also help to ensure that pay concerns do not add to the stress of those employees in combat zones, most of who already function under high levels of pressure. Although money is not the only form of compensation which might be used as an “incentive” to secure certain expertise, bolster job performance and morale, it is certainly one of the most reliable.

In the absence of monetary incentives, the individual’s sense of patriotic duty becomes the sole motivating factor of ensuring that the work continues and is performed above what is minimally required. Patriotic feelings fluctuate and vary in degree according to each individual. This variable is therefore too erratic to depend on as an incentive factor. Yet, for those E-E employees who have pay caps, this is precisely what the military has been forced to rely upon to ensure that functions like repairing complex weapons systems are performed.

EMERGENCY-ESSENTIAL (E-E) POSITION ASSIGNMENT

It is policy within DoD to limit the number of E-E positions to those that are needed to guarantee success of combat operations or the availability of combat-essential systems.⁴¹ As such, DoD components must be judicious in selecting these positions. Common mistakes in

identifying these positions are often made in the administrative positions. An E-E position as defined in DODD 1404.10 is:

a civilian position located overseas or that would be transferred overseas during a crisis situation or which requires the incumbent to deploy or to perform temporary duty assignments overseas during a crisis in support of military operations. That position is required to ensure the success of combat operations or to support combat-essential systems subsequent to mobilization, an evacuation order, or some other type of military crisis. That position cannot be converted to a military position because it requires uninterrupted performance to provide immediate and continuing support for combat operations and/or support maintenance and repair of combat-essential systems.⁴²

The point has previously been underscored that civilian employees who accept E-E positions commit themselves to a host of additional requirements (e.g., deploying with the military, undergoing military training, living in the field conditions). Once an employee has agreed to these conditions and then subsequently reneges on that agreement, he/she may be dismissed from their federal service or subjected to other adverse administrative actions.⁴³ Thus, if the employee's personnel file was without adverse actions before accepting the E-E position, they now have an adverse action that will likely follow them for the remainder of their government career. If the employee is a member of the Reserve Forces, he/she must be removed from recall status. Moreover, if the employee was in a key leadership position, the unit to which that employee was assigned is likely to be adversely affected as well.

A commander has the authority to involuntarily assign an employee to an E-E position on temporary duty and deploy them with the force; however, all efforts are taken to seek qualified volunteers first. Given the potential legal, psychological, and emotional whiplash which could result from forced deployment, seeking volunteers is a better choice. The Army is currently filling civilian E-E positions in Iraq and Afghanistan with volunteers. There are concerns at the DA level that the pool of qualified volunteers will soon disappear.⁴⁴ Given current efforts and resources to combat the Global War on Terrorism, there is good reason to be concerned. During times of national emergency, the Army cannot effectively function by waiting on civilians with the needed skills to volunteer to deploy.

ACCOUNTABILITY

Maintaining accountability of deployed civilians remains a challenge. The Army initially tried to incorporate civilian accountability into active military personnel accountability systems, but this solution was not practical.⁴⁵ In 2002 the Army developed a web-based civilian tracking system referred to as CIVTRACKS. The system is designed so that civilians with internet access can provide tracking data for their permanent records. If used correctly the system

provides DA level visibility of employees on the battlefield. According to James Feagins, chief of the Army's Civilian Mobilization Branch, Army G-1, "If there's a similar situation to Desert Storm, where there may be harmful exposures, CIVTRACKS would provide data to help us identify who might have been exposed to what."⁴⁶ During a telephone interview Mr. Feagins stated that deployed civilians maintain accountability with their local chain of command (as they should), but many do not forward this information to DA as they should.⁴⁷ "The civilian employee has the primary responsibility for providing and entering the appropriate data into the tracking system and keeping it up-to-date."⁴⁸ However, the responsibility of accounting for DA civilians does not rest solely on the employees' shoulders. The employee's major command and gaining unit are also responsible for maintaining accountability of the employee.

This automated system to track civilians is a vast improvement over the manual system used during Desert Shield/Storm. However, if not used correctly the Army will have the same issue of unreliable accountability of civilians as experienced during Desert Shield/Storm. Maintaining accountability is more important now than it has ever been. Take for instance the kidnapping of a DA civilian employee in Iraq. It would be a professional embarrassment to say the least, if the Army could not account for the whereabouts of the employee before the abduction. Also consider the impact an incident of this nature would have on the pool of civilian volunteers upon whom the Army so heavily relies.

SECTION IV - RECOMMENDATIONS

An assessment of the six key documents that govern deployed civilians during military operations showed that they provide a wealth of detailed information to assist E-E civilians, commanders, and managers at all levels. Four of the six documents are current, or certified current within two years. The last update to DODI 1400.32, "DOD Civilian Work Force Contingency and Emergency Planning Guidelines and Procedures", and DA Pam 690-47, "DA Civilian Employee Deployment Guide" was in April and November of 1995, respectively. To ensure the Army and DoD have the requisite civilian talent needed on the battlefield, proponents should review these documents and update accordingly. While the documents provide the necessary information to adequately prepare E-E employees and those who supervise him/her for deployment, improvements are needed in the sections that address E-E position designations. The manner in which these sections are written is problematic in that the wording is ambivalently constructed which makes the policy on voluntary and involuntary assignment to E-E positions unenforceable if challenged by an employee. The "language" provides more of an "invitation to deploy" than a directive. Thus, it is recommended that the directives and

regulations that outline procedures for E-E position designation be revised to incorporate definitive and precise words that will eliminate or at least minimize the possibility of the misinterpretation. The review should also include an enforcement mechanism that is monetary in nature for those who voluntarily accept E-E positions and renege at the time of deployment (barring illness or other established legitimate reasons).

If the Army continues to rely heavily on civilians to voluntarily accept E-E positions or duty with deployed forces, there must be a pay and incentives plan that is better than what currently exists. It is therefore recommended that the DoD establish a department level Task Force which will be specifically charged with developing a pay and incentives package for government civilians deployed in support of contingency operations and war. The Task Force should review all civilian pay entitlements with special consideration given to adjusting the bi-weekly or annual pay limits and authorizing the combat zone tax exclusion for deployed civilians. The incentives plan should consider a form of "deployment credit" whereby annual leave in excess of the maximum permissible balance counts towards retirement. Consideration in other areas such as life insurance and medical benefits should also be explored. A well developed pay and incentives plan would not only encourage volunteers for deployment and E-E assignment, it would also encourage the use of civilian personnel accountability systems which would provide component level organizations with visibility and accountability of their deployed civilians.

CONCLUSION

Few can argue about the sacrifices and contributions our government civilians have made in supporting our forces. The military has grown dependent on the services they provide. That dependence will only increase as we transform our military forces to meet current and future operations. This research revealed that changes are needed in the policies, procedures, and guidelines that govern the civilian workforce who deploy with our military forces. These changes must be considered before we reach the point where the Army no longer has a "pool of volunteers" to fill mission essential positions in hostile environments. This research also highlighted that we should fairly compensate our civilian employees who serve beside military forces in support of our National Security Strategy and National Military Strategy.

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ENDNOTES

¹ Deputy Chief of Staff, Logistics, "Civilianization of Selected Combat Service Support Functions Within the Army," study for Deputy Chief of Staff, Logistics, U.S. Army Administration Center, [n.p.], September 1976, D-7.

² Ibid.

³ Ibid., D-9.

⁴ Ibid.

⁵ Melinda K. Darby, *Civilian Contribution on the Battlefield*, Strategy Research Project (Carlisle Barracks: U.S. Army War College, 11 May 1993), 3.

⁶ Deputy Chief of Staff, Logistics, D43.

⁷ Jo Ellaresa Condrill, *Civilians in Support of Military Field Operations*, Strategy Research Project (Carlisle Barracks: U.S. Army War College, 15 April 1993), 1.

⁸ Darby, 3.

⁹ Ibid.

¹⁰ Darby, 17.

¹¹ Joint Chiefs of Staff, Joint Universal Lessons Learned System (JULLS). "Observations on Civilian/Contractor Personnel Issues." JULLS Long Reports. (Washington, D.C.: U.S. Joint Chiefs of Staff, October-November 1991.)

¹² Ibid.

¹³ Department of Defense, *Civilian Personnel Management Guide for Management Officials During Contingencies and Emergencies* (Washington, D.C.: U.S. Department of Defense, March 2003), Introduction.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Department of Defense, *Emergency-Essential (E-E) DoD U.S. Citizen Civilian Employees*, Department of Defense Directive 1404.10 (Washington, D.C.: U.S. Department of Defense, 1 December 2003), 2.

¹⁷ Department of Defense, *DoD Civilian Work Force Contingency and Emergency Planning and Execution*, Department of Defense Directive 1400.31 (Washington, D.C.: U.S. Department of Defense, 1 December 2003), 2.

¹⁸ Ibid., 3.

¹⁹ Ibid.

²⁰ Ibid., 4.

²¹ Ibid.

²² Department of Defense, *DoD Civilian Work Force Contingency and Emergency Planning Guidelines and Procedures*, Department of Defense Instruction 1400.32 (Washington, D.C.: U.S. Department of Defense, 24 April 1995), 1.

²³ Ibid., 8.

²⁴ Department of the Army, *Use and Management of Civilian Personnel in Support of Military Contingency Operations*, Army Regulation 690-11 (Washington, D.C.: U.S. Department of the Army, 26 May 2004), i.

²⁵ Ibid., 1.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid., 3.

³⁰ Ibid.

³¹ Ibid.

³² Ibid., 4.

³³ Ibid.

³⁴ Department of the Army, *DA Civilian Employee Deployment Guide*, Army Pamphlet 690-47 (Washington, D.C.: U.S. Department of the Army, 1 November 1995), 1.

³⁵ Ibid.

³⁶ Department of Defense, *Civilian Personnel Management Guide for Management Officials During Contingencies and Emergencies*, 1-14.

³⁷ Department of the Army, *Department of the Army Personnel Policy Guidance (PPG)*, Army Policy Guidance (Washington, D.C.: U.S. Department of the Army, 1 March 2005), 126.

³⁸ Ibid.

³⁹ Jody Brenner, "Deployment and civilians: What incentives do we need?," *Army Logistician* (Jul/Aug 1999): 38 [database on-line]; available from ProQuest; accessed 20 December 2004.

⁴⁰ Ibid.

⁴¹ Department of Defense, *Emergency-Essential (E-E) DoD U.S. Citizen Civilian Employees*, 2.

⁴² *Ibid.*, 12.

⁴³ Department of Defense, *DoD Civilian Employee Overseas Emergency-Essential Position Agreement*, Department of Defense Form 2365 (Washington, D.C.: U.S. Department of Defense, February 2000).

⁴⁴ James E. Feagins, Chief, Civilian Mobilization Branch, Headquarters, Department of the Army, Office of the Deputy Chief of Staff, G-1, telephone interview by author, 14 February 2005, Carlisle Barracks, PA.

⁴⁵ Austin Camacho, "Army Develops New System to Track Deployed Civilians," *Deployment Quarterly* Winter 2003; available from <http://deploymentlink.osd.mil/news/dquarterly/winter03/track_civilians.htm>; Internet; accessed 19 December 2004.

⁴⁶ *Ibid.*

⁴⁷ Feagins.

⁴⁸ Department of the Army, *Department of the Army Personnel Policy Guidance (PPG)*, Army Policy Guidance, 70.

BIBLIOGRAPHY

- Brenner, Jody. "Deployment and civilians: What incentives do we need?" *Army Logistician* (Jul/Aug 1999): 38. Database on-line. Available from ProQuest. Accessed 20 December 2004.
- Camacho, Austin. "Army Develops New System to Track Deployed Civilians." *Deployment Quarterly* Winter 2003. Available from <http://deploymentlink.osd.mil/news/dquarterly/winter03/track_civilians.htm>. Internet. Accessed 19 December 2004.
- Condrell, Jo Ellaresa. *Civilians in Support of Military Field Operations*. Strategy Research Project. Carlisle Barracks: U.S. Army War College, 15 April 1993.
- Darby, Melinda K. *Civilian Contribution on the Battlefield*. Strategy Research Project. Carlisle Barracks: U.S. Army War College, 11 May 1993.
- Feagins, James E., Chief, Civilian Mobilization Branch, Headquarters, Department of the Army, Deputy Chief of Staff, G-1. Telephone interview by author, 14 February 2005.
- U.S. Department of Defense. *Civilian Personnel Management Guide for Management Officials during Contingencies and Emergencies*. Washington, D.C.: U.S. Department of Defense, March 2003.
- _____. *DoD Civilian Employees Overseas Emergency-Essential Position Agreement*. DD Form 2365. Washington, D.C.: U.S. Department of Defense, February 2000.
- _____. *DoD Civilian Work Force Contingency and Emergency Planning and Execution*. Department of Defense Directive 1400.31. Washington, D.C.: U.S. Department of Defense, 1 December 2003.
- _____. *DoD Civilian Work Force Contingency and Emergency Planning Guidelines and Procedures*. Department of Defense Instruction 1400.32. Washington, D.C.: U.S. Department of Defense, 24 April 1995.
- _____. *Emergency-Essential (E-E) DoD U.S. Citizen Civilian Employees*. Department of Defense Directive 1404.10. Washington, D.C.: U.S. Department of Defense, 1 December 2003.
- U.S. Department of the Army. Deputy Chief of Staff, Logistics. *Civilianization of Selected Combat Service Support Functions Within the Army*, study for Deputy Chief of Staff, Logistics, U.S. Army Administration Center, [n.p.], September 1976.
- _____. *DA Civilian Employee Deployment Guide*. Army Pamphlet 690-47. Washington, D.C.: U.S. Department of the Army, 1 November 1995.
- _____. *Department of the Army Personnel Policy Guidance (PPG)*. Army Policy Guidance. Washington, D.C.: U.S. Department of the Army, 1 March 2005.
- _____. *Use and Management of Civilian Personnel in Support of Military Contingency Operations*. Army Regulation 690-11. Washington, D.C.: U.S. Department of the Army, 26 May 2004.

U.S. Joint Chiefs of Staff. Joint Universal Lessons Learned System (JULLS). "Observations on Civilian/Contractor Personnel Issues." *JULLS Long Reports*. Washington, D.C.: U.S. Joint Chiefs of Staff, October-November 1991.